

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

E. JEAN CARROLL,

Plaintiff,

-against-

DONALD J. TRUMP, in his personal capacity,

Defendant.

Index No. 160694/2019

Hon. Verna L. Saunders

Mot. Seq. No. 003

**AFFIRMATION OF ROBERTA A. KAPLAN IN SUPPORT OF
PLAINTIFF'S MOTION TO STRIKE AN AFFIRMATIVE DEFENSE**

Roberta A. Kaplan, an attorney admitted to practice before the courts of the State of New York, authorized by law to practice in the State of New York, and not a party to this action, hereby affirms the following to be true under penalty of perjury pursuant to CPLR § 2106:

1. I am a partner with the law firm of Kaplan Hecker & Fink LLP, counsel for Plaintiff E. Jean Carroll in the above-captioned action. I am familiar with the facts of this case. I submit this affirmation in support of Carroll's motion to strike an affirmative defense.
2. Attached as Exhibit A is a true and correct copy of the logo used in connection with the television program, *The Apprentice*.
3. Attached as Exhibit B is a true and correct copy of the entity information page for The Trump Corporation maintained by the New York Department of State, Division of Corporations.
4. Attached as Exhibit C is a true and correct copy of the entity information page for The Trump Organization, Inc. maintained by the New York Department of State, Division of Corporations.

5. Attached as Exhibit D is a true and correct copy of a Federal Election Commission filing by Donald J. Trump for President, Inc., dated May 20, 2020.

6. Attached as Exhibit E are true and correct copies are three Department of Homeland Security reports titled *Expenditures Pursuant to the Presidential Protection Assistance Act of 1976*, dated August 2, 2019, November 20, 2019, and February 7, 2020. These reports were released by the Department of Homeland Security to governmentattic.org on May 11, 2020, pursuant to a Freedom of Information Act request, File Number 20190427.

7. Attached as Exhibit F is a certified transcript of a telephone call involving Defendant Donald J. Trump and U.S. Governors on June 1, 2020. The audio of the call is in the public domain and is available at, *inter alia*, <https://www.thedailybeast.com/listen-to-trumps-unhinged-rant-to-guvs>.

8. Attached as Exhibit G are true and correct copies of Florida Voter Registration Applications signed by Defendant, which were obtained by the Washington Post via a public records request.

9. Attached as Exhibit H is a true and correct copy of the Declaration of Use Agreement between the Town of Palm Beach, the Mar-a-Lago Club, Inc., and Donald J. Trump, which was obtained by the Washington Post from the public files of Palm Beach, Florida.

Dated: New York, New York
June 15, 2020

By: 

Roberta A. Kaplan
KAPLAN HECKER & FINK LLP
350 Fifth Avenue, Suite 7110
New York, New York 10118
Tel: (212) 763-0883
Fax: (212) 564-0883
rkaplan@kaplanhecker.com

Counsel for Plaintiff E. Jean Carroll